IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CIVIL REVISION APPLICATION NO.456 OF 2003

Salim Shamshi & ors. Petitioners

Vs.

Mr. Shahzaad Siraj Dalal & anr. Respondents

Mr.A.S.Khandeparkar for petitioners.
Mr.R.Ghadge for respondents.

CORAM: B.H.MARLAPALLE,J.
August 09, 2005.

P.C.

. This civil revision application impugns the order dated 26-6-2003 passed by the learned Judge of the Small Causes Court at Mumbai. Interim Notice No.1355of 2003 was taken out by the present petitioners for being impleaded as defendants in RAE & R Suit No.355/749 of 1998 and the said application has been rejected by the impugned order. Admittedly such an order cannot be challenged in civil revision application under section 115 of CPC and, therefore, Mr.Khandeparkar, the learned counsel for the petitioners seeks leave to withdraw the revision.

. Leave granted with liberty to take out fresh appropriate proceedings against the impugned order. The ad-interim relief granted by this Court vide

order dated 21-7-2003 shall operate for a period of three weeks.

(B.H.MARLAPALLE,J.)